IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4797 of 2005

Between:

Smt. Dantuluri Vijayalakshmi, W/o.Narasimha Raju, Hindu, R/o.6-18-4, Madhuravada, Visakhapatnam.

..... PETITIONER

AND

1 District Collector, Visakhapatnam District, Visakhapatnam.
2 The Mandal Revenue Officer, China Gadili Mandal,

Visakhapatnam.
3 Revenue Inspector, China Gadili Mandal, Visakhapatnam

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent herein from interfering with the possession of the lands of the petitioner admeasuring 3 acres in Sy.No.134/3, 5 acres in sy.No.134/5 and Ac.1-30 cents in sy.No.146/1,2 of Paradesipalem Village, China Gadili Mandalam, Visakhapatnam District as illegal, and consequently direct them not to dispossess the petitioner without following due process of law and grant such other relief.

Counsel for the Petitioner: MR.P.KRISHNA PRAKASH

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioner claims that she is the owner of the land in Survey Nos.134/3, 134/5 and 146/1,2 of Paradesipalem Village, China Gadili Mandalam, Visakhapatnam District. She claims to have purchased the land more than a decade ago from the original pattadars. Her grievance is that the respondents are trying to dispossess her, without initiating any proceedings or issuing any notice to her.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioner had placed before this Court, the copies of the pattadar pass books of the vendors as well as the extracts of revenue records, which disclose the ownership of the land referred to above. Even assuming that there is any dispute as regards the entitlement of the petitioner either as owner or possessor, she can be dispossessed or otherwise interfered with, only after proceedings are initiated, in accordance with the relevant provisions of law. There does not exist any justification to indiscriminately interfere with the rights of the private individuals.

Hence, the writ petition is disposed of, directing that the respondents shall not interfere with the rights of the petitioner, in respect of the land referred to above, without initiating proceedings in accordance with law. There shall be no order as to costs.

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11.03.2005

Jsu
To

1 District Collector, Visakhapatnam District, Visakhapatnam.
2 The Mandal Revenue Officer, China Gadili Mandal,

Visakhapatnam.
3 Revenue Inspector, China Gadili Mandal, Visakhapatnam

District.

4 2 CCs to the G.P. for Revenue, High Court Buildings,

Hyderabad. (OUT)

5 2 CD copies.